September 8, 1971

11-190-13366

REC-4

EX-102

Mr. Fred Powledge
American Civil Liberties Union
156 Fifth Avenue
New York, New York 10010

Dear Mr. Powledge:

Assistant Director Thomas E. Bishop has shown me your letter to him dated August 30, 1971.

I am familiar with the exchange of correspondence between Mr. Bishop and Messrs. Nelson and Ostrow of the Los Angeles Times. I am thoroughly in agreement with Mr. Bishop's handling of this matter. Over the years it has been the policy of this Bureau to answer valid inquiries from the news media and the public. Mr. Bishop made every effort to cooperate in answering the inquiries of Messrs. Nelson and Ostrow until it became obvious that some of their questions were so tainted with false implications as to have strong overtones of harassment.

Sincerely yours,

J. Edgar Hoover

MAILED 3
SEP - 8 1971
FBI

NOTE: See M. A. Jones to Mr. Bishop Memo dated 9-8-71 and captioned, "Fred Powledge, American Civil Liberties Union."

1 - Mr. Mohr (detached)
1 - Mr. Bishop (detached)
1 - Mr. Dalbey (detached)
1 - Mr. M. A. Jones (detached)

FCS:ssa (8)

422787

51 SEP 29 1971

Tolson
Felt
Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
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August 30, 1971

Mr. Thomas Bishop
Assistant Director
Federal Bureau of Investigation
Washington, D.C.

Dear Mr. Bishop:

I am writing to ask a few questions in connection with a report I am doing for the A.C.L.U. on relations between the government and the press. The questions concern dealings Jack Nelson, of the Los Angeles Times, has had with the FBI and with you.

Mr. Nelson showed me his exchange of correspondence with you of early this year (letters from him and Ronald Ostrow to you on January 5; your reply; their letter to you on January 12, and your reply on January 14) which ended with your declining to answer or acknowledge the newsmen's questions. My question is this: Do you consider the matters raised in this correspondence outside the province of the Freedom of Information Act? If so, on what grounds do you consider it so?

Several of the questions asked in the Nelson-Ostrow exchange had to do with uses to which the FBI laboratory had or had not been put. You were asked if the lab were used to construct a model of a porch for Mr. Hoover's home, and you were asked if a "pirate's chest" were constructed there as part of a Christmas present for Mr. Hoover. Why did you decline to answer those questions? Do you think the public is entitled to an answer, negative or positive, to those questions?

EX-102 REC-4 61-190-1366

Have you ever referred, in conversations with others, to Jack Nelson's drinking habits?

12 SEP 2 1971

Mr. Nelson, in commenting on the FBI, has said: "For so long they've been so sacrosanct that they just don't answer your questions if they don't want to." Is that true? I would appreciate your comment on that statement.

422789

memo Jones to Bishop ack let to Mr. Powledge FCS: aaa 9-8-71

Thank you.

Sincerely yours,

Fred Powledge

Fred Powledge

COPY MADE FOR MR. TOLSON

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150

Mr. Tolson
Mr. Felt
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Brennan, C.D.
Mr. Callahan
Mr. Casper
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0-20 (Rev. 9-13-71)

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048A
ACLU 9-28 NX
WITH PRESS 024A

WASHINGTON (UPI)--THE AMERICAN CIVIL LIBERTIES UNION (ACLU) CHARGED IN A REPORT RELEASED MONDAY THAT "ATTACKS ON THE PRESS BY THE OFFICERS OF GOVERNMENT HAVE BECOME SO WIDESPREAD AND ALL-PERVASIVE THAT THEY CONSTITUTE A MASSIVE FEDERAL-LEVEL ATTEMPT TO SUBVERT THE LETTER AND INTENT OF THE FIRST AMENDMENT."

THE ACLU SAID THE NIXON ADMINISTRATION'S ATTEMPT TO CENSOR THE NEWS MEDIA HAD BEEN DOCUMENTED BY FRED POWLEDGE DURING DISCUSSIONS WITH 45 NEWS EXECUTIVES AND NEWSMEN.

POWLEDGE SAID THE GOVERNMENT HAD FIRST BEGUN TO "CHILL THE PRESS" AFTER VICE PRESIDENT SPIRO T. AGNEW GAVE A SPEECH IN 1969 CRITICIZING THE NEWS COVERAGE OFFERED BY THE TELEVISION NETWORKS.

AS A SPECIFIC EXAMPLE OF THE "CHILL," POWLEDGE CITED A CONVERSATION WITH RICHARD SALANT, THE PRESIDENT OF CBS NEWS. THE ACLU SAID SALANT TOLD POWLEDGE THAT PRESIDENTIAL ASSISTANT JOHN ERLICHMAN HAD "LIT INTO" THE CBS WHITE HOUSE CORRESPONDENT DURING A CONVERSATION WITH SALANT AND HAD CALLED HIM "A HATCHET MAN."

POWLEDGE ALSO SAID A REPORTER FOR THE LOS ANGELES TIMES HAD BEEN "SMEARED" AS A MAN "WHO DRINKS TOO MUCH" BY AN FBI AGENT, AFTER THE REPORTER HAD WRITTEN ARTICLES CONSIDERED EMBARRASSING TO THE FBI.

IN THE REPORT, POWLEDGE CONCLUDED THAT THE ATTACK BY THE ADMINISTRATION HAD OFTEN RESULTED IN "A SUBTLE TENDENCY--ALMOST IMPOSSIBLE TO DOCUMENT OR MEASURE--OF THE PRESS ITSELF TO PULL BACK; TO CONSIDER THE CONTROVERSIALITY OF ITS ACTIONS BEFORE IT TAKES THEM, AND THEN, IN SOME CASES, NOT TO TAKE THOSE ACTIONS--TO ENGAGE IN SELF-CENSORSHIP."

AC444AED

ENCLOSURE

UNRECORDED COPY FILED IN

EX-102 REC-14 422766 61-190-1373 OCT 22 1971

What about this? Who is Powledge?

XEROX OCT 26 1971

WASHINGTON CAPITAL NEWS SERVICE

See Bishop 9/28/71 Felt news TEB:

CRIME RESEARCH

OBSERVATIONS

Jack Nelson and Ronald Ostrow are jackal-type reporters interested in smearing the FBI. Nelson obviously is now in contact with the American Civil Liberties Union hoping to work out a new type of attack against Mr. Hoover. Powledge indicates that Nelson has shown him the exchange of correspondence with you (Mr. Bishop).

It is felt that the Director should very succinctly acknowledge Powledge's letter saying that he supported Mr. Bishop's handling of the matter and not attempting to answer the inquiry about the Freedom of Information Act. Likewise, it is felt we should not make any mention of the drinking habits of Jack Nelson. Any statement or piece of information we furnish will undoubtedly be used by Powledge and Nelson against the Bureau.

Bufiles identify Powledge in 1964 and 1965 as a New York Times reporter and in 1970 as "a freelance journalist specializing in urban and racial problems."

RECOMMENDATION:

That attached letter be sent to Powledge.

OK. H

422786

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
Felt
Rosen
Mohr
Bishop
Miller, E.S.
Callahan
Casper
Conrad
Dalbey
Cleveland
Ponder
Bates
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

TO : Mr. Bishop

DATE: 10-6-71

FROM : M. A. Jones

SUBJECT: THE NIXON ADMINISTRATION AND THE PRESS
AMERICAN CIVIL LIBERTIES UNION REPORTS
SEPTEMBER, 1971
INFORMATION CONCERNING

The Washington Field Office obtained from a confidential source two copies of the September, 1971, American Civil Liberties Union Reports by Fred Powledge entitled, "The Nixon Administration and The Press: The Engineering of Restraint."

A review of this document indicates that it is an attack on the Administration and the Government as a whole and purports to point out how the Government attempts to control the news media and has tried to restrain representatives of the media from reporting material which the American public has a right to receive. It strongly attacks Vice President Agnew and accuses him, through his speeches, of being principally responsible.

The FBI is mentioned on a few occasions, namely pages 21, 28, 33, 37, 40, 55 and pages A-9 and A-10 in the appendix. Basically it comments about Bureau Agents questioning workers in the State Department in order to determine how information is leaked to the press. It refers to Jack Nelson and Assistant Director Bishop in connection with Nelson's attempting to obtain the answers to certain questions from Bishop and alleges that Bishop referred to Nelson's drinking habits when William Eaton of the "Chicago Daily News" queried him about Nelson's charges in the book, "The Orangeburg Massacre." You will recall that there was recent newspaper publicity concerning this segment of Powledge's reports. It implies that FBI men have threatened photographers when they attempted to take their pictures and states that some members of the media believe members of their own staffs are conduits to law enforcement agencies, notably the FBI.

REC-34 61-190-1370

Pages A-9 and A-10 of the appendix go into detail concerning Nelson's efforts to obtain answers from Bishop to questions, some of which were so tainted with false and malicious implications that they did not deserve the dignity of an acknowledgment.

418009

EX-103

1 - Mr. Felt
1 - Mr. Bishop
1 - Mr. Rosen

OCT 12 1971

CONTINUED - OVER

TBC:smp
(6)

422777

CRIME RESEARCH

57 OCT 20 1971

M. A. Jones to Bishop Memo
RE: THE NIXON ADMINISTRATION AND THE PRESS

This type of report is the type which could be expected from the American Civil Liberties Union and is nothing more than a further effort to attempt to discredit our Government, including the Bureau and numerous other Government agencies and Government officials.

RECOMMENDATION:

For record purposes.

418011

422779

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
Felt
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Rosen
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Walters
Soyars
Tele. Room
Holmes
Gandy

TO : Mr. Bishop

DATE: September 8, 1971

FROM : M. A. Jones

SUBJECT: FRED POWLEDGE
AMERICAN CIVIL LIBERTIES UNION

By letter of 8-30-71, Powledge says that he is writing a report for the American Civil Liberties Union (ACLU) on relations between the government and the press. He raises questions concerning Jack Nelson of the Los Angeles Times and the FBI, referring to an exchange of correspondence between Nelson (and Ronald Ostrow) and you (Mr. Bishop).

BACKGROUND

By letter dated January 5, 1971, Jack Nelson and Ronald Ostrow of the Los Angeles Times sent you (Mr. Bishop) 10 questions involving the FBI television series, the FBI Recreation Association, and FBI personnel matters, as well as the FBI National Academy and our purchase of armored cars. These questions were answered by letter dated January 7th over your signature, with the Director's approval.

On January 11, 1971, Nelson and Ostrow acknowledged receipt of the answers and said they would be submitting additional questions. They submitted 20 additional questions to you by letter dated January 12th - which questions included a number of matters ranging from the retirement and salary incomes of Miss Gandy and Mr. Tolson to whether the Director takes Annual Leave. By letter dated January 14th, with the Director's approval, you acknowledged receipt of the January 11th and 12th communications and told Nelson and Ostrow, "The FBI is much too busy an organization to engage in the apparently endless exchange of question-and-answer correspondence which you obviously have in mind. Furthermore, your demands upon us have strong overtones of harassment, and some of the questions you have posed are so tainted with false and malicious implications that they frankly do not deserve the dignity of an acknowledgment." On January 15, 1971, Nelson and Ostrow wrote you (Mr. Bishop) to express "surprise" and state they "feel our questions constitute a legitimate press inquiry of a public agency." They also denied that they intended any harassment and closed with the "hope you will seriously reconsider your refusal to cooperate in this matter of public interest." This letter was not acknowledged with the approval of the Director.

1 - Mr. Mohr - Enclosure
1 - Mr. Bishop - Enclosure
1 - Mr. Dalbey - Enclosure
1 - Mr. M. A. Jones - Enclosure
FCS:ssa/asg (6)

(CONTINUED-OVER)

REC-4 422784
EX-102
16 SEP 17 1971
CRIME RESEARCH